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9 DANIEL NORCIA

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 DANIEL NORCIA, on his own behalf and on  
13 behalf of all others similarly situated,

14 Plaintiffs,

15 v.

16 SAMSUNG TELECOMMUNICATIONS  
17 AMERICA, LLC, a New York Corporation, and  
18 SAMSUNG ELECTRONICS AMERICA, INC.,  
19 a New Jersey Corporation,

20 Defendants.

Case No.: 3:14-cv-582-JD

**STIPULATION REGARDING BRIEFING  
SCHEDULE FOR MOTION FOR  
JUDGMENT ON THE PLEADINGS;  
DECLARATION OF JOHN R. HURLEY;**

**AND**

**[PROPOSED] ORDER**

Complaint Filed: February 7, 2014

**STIPULATION**

Plaintiff Daniel Norcia ("Plaintiff") and Defendants Samsung Telecommunications America, LLC, and Samsung Electronics America, Inc. (collectively "Samsung"), hereby stipulate and agree to modify the briefing schedule on Samsung's Motion for Judgment on the Pleadings (ECF 94), set for hearing on October 5, 2017, as follows:

1. Plaintiff's Opposition, currently due September 1, 2017, shall be due September 8, 2017.

2. Samsung's Reply, currently due September 8, 2017, shall be due September 22, 2017.

IT IS SO STIPULATED.

Pursuant to Local Rule 5-1(i)(3), the undersigned filer of this document hereby attests that concurrence in the filing has been obtained from each of the other signatories, which shall serve in lieu of their signatures on the document..

DATED: August 31, 2017

Respectfully submitted,

By: /s/ John R. Hurley  
John R. Hurley

Attorneys for Plaintiff Daniel Norcia

By: /s/ Sean D. Under  
Sean D. Unger

Attorneys for Defendants Samsung  
Telecommunications America, LLC, and Samsung  
Electronics America, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED:

By: \_\_\_\_\_  
Hon. James Donato  
United States District Court Judge

**DECLARATION OF JOHN R. HURLEY**

I, John R. Hurley, declare:

1. I am an attorney at law, duly licensed to practice law in the State of California and a member of the bar of this Court, and I am an attorney of record in this action for Plaintiff Daniel Norcia. I make this declaration based on personal knowledge and would competently testify to the matters set forth herein.
2. The request for modification of the briefing schedule and enlargement of time for the filing of opposition and reply papers on the Motion for Judgment on the Pleadings (ECF 94) is made to in order to provide counsel for the parties additional time to address the issues raised in the Motion and anticipated Opposition while also accounting for the Labor Day holiday.
3. There have been no previous modifications of the briefing schedule on the Motion for Judgment on the Pleadings.
4. The requested modification would not move the hearing date or otherwise affect the schedule for the case.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this day, August 31, 2017.

By: /s/ John R. Hurley  
John R. Hurley